

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph P. STEINER and Gregory S. HAMILTON

Serial No.: Not yet assigned

Filing Date: April 5, 2001

Title: **NOVEL PYRROLIDINE CARBOXYLATE HAIR REVITALIZING AGENTS**

FILING FORM

FOR DIVISIONAL U.S. PATENT APPLICATION

Commissioner of Patents
Washington, D.C. 20231

Sir:

1. This is a Request for filing a
- ☐ Continuation Application under:
 - ☐ 37 CFR § 1.53(b)(1)
 - ☒ Divisional Application under:
 - ☒ 37 CFR § 1.53(b)(1)
 - ☐ Continuation-In-Part (CIP) application
 - ☐ 37 CFR § 1.53(b)(2)

of **prior** ("parent") application:

Serial No. 09/369,860

Filed: August 9, 1999

Entitled: **NOVEL PYRROLIDINE CARBOXYLATE HAIR
REVITALIZING AGENTS**

of which is a divisional of the **prior** application:

Serial No. 08/869,426

Filed: June 4, 1997 (Now Patent No. 5,945,441,
issued August 31, 1999)

Entitled: **NOVEL PYRROLIDINE CARBOXYLATE HAIR
REVITALIZING AGENTS**

2. ☒ *Enclosed for application under 37 CFR §§ 1.53(b) are:
- 62 pages of text (specification, claims, abstract)
 - 24 claims
 - 4 sheets of drawings

3. The **present** application names the following inventor(s):

Joseph P. STEINER and Gregory S. HAMILTON

— (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

— Enter the Amendment filed in the prior patent application on _____ prior to calculating the filing fee.

XX Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

	(Col 1)		(Col 2)	SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	18	minus 20	0	x9=	0		x18=	0
INDEP	6	minus 3	3	x40=	0		x80=	240
BASE FILING FEE:				+355=	0		+710=	710
<u>xx</u> Multiple Dependent Claims				+130=	0		+270=	0
				TOTAL	0	OR TOTAL	950	

— Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:

— was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);

— is filed herewith;

— will be filed at a later date.

X A check including the above-indicated filing fee is enclosed.

— A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$ extension fee.

___ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

___ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

X The prior application is assigned of record to Guilford Pharmaceuticals, 6611 Tributary Street, Baltimore, Maryland 21224, the Assignment being recorded on January 7, 1998, on Reel 8894, Frame(s) 0426, which in turn assigned the application to GPI NIL Holdings, Inc., 222 Delaware Avenue, Wilmington, Delaware 19899, the Assignment being recorded on April 21, 1999, on Reel 9903, Frame(s) 0481.

___ An original executed Declaration is enclosed.

X Amend the specification by inserting before the first line the sentence:

--This application is a divisional application of U.S. Patent Application Serial No. 09/369,860, filed August 9, 1999, which is a divisional application of U.S. Patent Application Serial No. 08/869,426, filed June 4, 1997, the entire contents of which are hereby incorporated by reference in their entirety.--

___ Foreign priority under 35 U.S.C. § 119 of _____ application(s) _____, filed _____, is hereby claimed. The certified priority paper(s):

- ___ was/were filed in the parent case;
- ___ is/are enclosed herewith;
- ___ will be submitted at a later date.

X The power of attorney in the prior application is to Gary M. Nath, Registration No. 26,965, Customer No. 20529.

X The power appears in the original papers in the prior application.

X Address all future communications to:

Gary M. Nath
NATH & ASSOCIATES PLLC
1030 15th Street, N.W.- 6th Floor
Washington, D.C. 20005

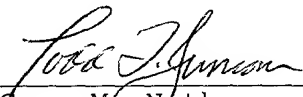
— If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: April 5, 2001



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Reg. No. 26,965
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TRANSMITTAL LETTER

The Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Divisional U.S. Patent Application;
- (3) Divisional application including:
 - 66 Pages Application Consisting of:
 - 26 Pages of Textual Specification
 - 35 Pages of 24 Claims
 - 1 page Abstract of the Disclosure
 - 4 sheets of drawings
- (4) Preliminary Amendment

NATH & ASSOCIATES, PLLC
PATENT & TRADEMARK ACCOUNT

14520

DATE : Apr 3/2001

CHE # : 14520

AMOUNT: \$950.00

ACCOUNT: GENERAL - 27

PAID TO: THE COMMISSIONER OF PATENTS & TRADEMARKS

Steiner J., Hamilton G.

CLIENT: 2315 - Amgen

MATTER: A3105B